

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIKE, INC.,

Plaintiff,

-against-

LULULEMON USA INC.,

Defendant.

23-CV-771 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

For the reasons stated on the record at the conference held on February 19, 2025:

- By **February 21, 2025 at 5:00 PM**, Lululemon should submit a redline of Dr. Brookstein's expert report that shows the proposed changes in light of the construction of "surrounding textile structure." Lululemon may submit any additional authorities it would like the Court to consider. If Nike wishes to respond, it must do so by **February 24, 2025 at 12:00 PM**.
- The Court will hold a teleconference on the issue of Dr. Brookstein's opinions on **February 25, 2025 at 11:30 AM**. The parties should dial in by calling (646) 453-4442 and entering the Phone Conference ID: **666 616 803**, followed by the pound (#) sign.
- The parties should meet and confer to narrow down the exhibit list and resolve exhibit and deposition-designation objections. The Court does not anticipate that either side should have more than 75 exhibits that they intend to introduce during trial.
- Similarly, the parties should work to narrow their witness lists to those witnesses that, at the present time, they actually anticipate calling at trial.
- The Court will resolve any outstanding objections at a conference on **February 28, 2025 at 2:00 PM** in Courtroom 15A of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York.

SO ORDERED.

Dated: February 20, 2025
New York, New York



ARUN SUBRAMANIAN
United States District Judge